### STATE OF VERMONT

## HUMAN SERVICES BOARD

In re	)	Fair	Hearing	No.	21,089
	)				
Appeal of	)				

## INTRODUCTION

The petitioner appeals the decision by the Office of Vermont Health Access (OVHA) imposing a \$25 copayment for a hospital emergency room visit under VHAP. The issue is whether OVHA correctly applied the pertinent regulations in determining that the petitioner is liable for this copayment.

# FINDINGS OF FACT

- 1. The petitioner recently received treatment in a hospital emergency room. The hospital has billed her \$25 for this service as a copayment after VHAP covered the rest of the charges.
- 2. At a hearing held on September 24, 2007 the petitioner maintained that she could not afford to pay this bill. The Department explained that her payment of this charge is a matter between her and the hospital, and that it will not affect her ongoing eligibility for VHAP.

#### ORDER

The Department's decision is affirmed.

## REASONS

There is no question that copayments of \$25 are

"required" of all VHAP recipients for emergency room

services, regardless of the income and circumstances of the

recipient. W.A.M. § 4001.92.¹ Inasmuch as OVHA correctly

assessed the petitioner's copayment of \$25 in accord with its

regulations, the Board is bound by law to affirm. 3 V.S.A. §

3091(d), Fair Hearing Rule No. 17.

# # #

<sup>&</sup>lt;sup>1</sup>A copayment of \$60 is required if the service is subsequently determined not to have been a "medically necessary emergency". There is a cap of \$750 per year in total copayments required of any single person. *Id*.